

ORIGINAL

**FILED**

DISTRICT COURT OF GUAM

MAY 10 2005 *mba*

MARY L.M. MORAN  
CLERK OF COURT

(1)

1 mbrilescpl

2 LEONARDO M. RAPADAS  
3 United States Attorney  
4 STEVEN CHIAPPETTA  
5 Special Assistant U.S. Attorney  
6 Suite 500, Sirena Plaza  
108 Hernan Cortez Ave.  
Hagåtña, Guam 96910  
TEL: (671) 472-7332  
FAX: (671) 472-7334

7 Attorneys for the United States of America

8  
9 IN THE UNITED STATES DISTRICT COURT  
10 FOR THE TERRITORY OF GUAM

11 UNITED STATES OF AMERICA,

12 Plaintiff.

13 vs.

14 MICHAEL C. BRILES,

15 Defendant.

) MAGISTRATE CASE NO. 05-00022

) COMPLAINT

) **BURGLARY AND LARCENY**

) [9 GCA §§ 37.20 and 43.30]

) [18 U.S.C. §§ 7(3) and 13]

16  
17 THE UNDERSIGNED COMPLAINT CHARGES UPON INFORMATION AND BELIEF  
18 THAT:

19 On or about January 28, 2005, within the special maritime and territorial jurisdiction of  
20 the United States, the defendant, MICHAEL C. BRILES was identified as the primary suspect  
21 involved in the burglary and larceny at the Naval Base Guam Big Screen Theater, a violation of 9  
22 Guam Code Annotated, Sections 37.20 and 43.30 and Title 18, United States Code, Sections 7(3)  
23 and 13.

24 COMPLAINANT FURTHER STATES:

25 1. I, Robert E. LeSane, am employed with the U.S. Naval Criminal Investigative Service  
26 as a Special Agent. The statements contained in this affidavit are based on my personal  
27 knowledge as well as information and written reports of law enforcement officers in the course of  
28 their official duties.

1           2. On February 2, 2005, the defendant, MICHAEL CORY BRILES, after waiving his  
2 Miranda rights, admitted, in a written statement to Command Investigations Department  
3 Investigator Master at Arms Second Class Rudolph Antiporda, USN, that he remained at the  
4 Naval Base Guam Big Screen Theater on January 28, 2005, by hiding in a maintenance closet  
5 located in the theater and waiting until all persons had vacated the building with the intent to  
6 steal money located within the theater office. This act was done at night at approximately 12:30  
7 am.

8           3. The defendant, MICHAEL C. BRILES, further admitted that, after all persons had  
9 vacated the theater, he then broke into the theater safe using a screwdriver and removed  
10 approximately \$250.00. The defendant further admitted to opening a locker located in the main  
11 office of the building and removing approximately \$500.00.

12           4. All acts committed by the defendant, MICHAEL C. BRILES, occurred on Department  
13 of the Navy property situated within the special maritime and territorial jurisdiction of the United  
14 States. Therefore, under 18 U.S.C. Section 7(3), this Court has jurisdiction over the defendant  
15 and the offense.

16           5. Venue is proper under 18 U.S.C. 3238 in that the District of Guam is the district where  
17 the defendant committed for the offenses on January 28 2005.

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6. Based on the foregoing facts, affiant believes that there is probable cause to believe that the defendant, MICHAEL C. BRILES, did burglarize and commit larceny onboard the Naval Base Guam Big Screen Theater and commit a violation of Title 9, Guam Code Annotated, sections 37.20 and 43.30 and 18 United States Code Sections 7(3) and 13.

DATED this 10th th day of May 2005.

Robert L. Lane

**ROBERT LeSANE**  
Special Agent  
U.S. Naval Criminal Investigative Service

SUBSCRIBED AND SWORN to before me on this 10<sup>th</sup> th day of May 2005.

*[Handwritten signature]*

JOAQUIN V.E. MANIBUSAN, JR.  
Magistrate Judge  
District Court of Guam